

Article - Insurance

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§18–109.

(a) Except as provided in subsection (b) of this section, a policy or certificate of long-term care insurance may not be delivered or issued for delivery in the State if the policy or certificate limits or excludes coverage by type of illness, treatment, medical condition, or accident.

(b) A policy or certificate of long-term care insurance may limit or exclude coverage of:

- (1) preexisting conditions or diseases;
- (2) mental or nervous conditions or diseases other than Alzheimer's disease;
- (3) alcohol or drug addiction;
- (4) unless otherwise provided by State or federal law, treatment provided in a government facility;
- (5) services provided by a member of the covered individual's immediate family;
- (6) services for which a charge normally is not made in the absence of insurance;
- (7) services for which benefits are available under:
 - (i) Medicare or other governmental programs except Medicaid; or
 - (ii) a State or federal workers' compensation, employer's liability, or occupational disease law; and
- (8) illness, treatment, or medical conditions arising out of:
 - (i) a declared or undeclared war or act of war;
 - (ii) participation in a felony, riot, or insurrection;

(iii) service in the armed forces or auxiliary units;

(iv) suicide, attempted suicide, or intentionally self-inflicted injury; or

(v) aviation, if the insured is a passenger who does not pay a fare.

(c) This section does not prohibit:

- (1) exclusions and limitations by type of provider; or
- (2) limitations by territory.

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